AO 398 (Delaware Rev. 7/00)

## NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS

	of (C)	
-	a (or the entity on whose behalf you a It has been filed in the United States docket number07-517 UNA	,
sed waiver of service in order to sav py of the complaint. The cost of se F) 30 days after the date design	from the court, but rather my request we the cost of serving you with a judic ervice will be avoided if I receive a signated below as the date on which the ope (or other means of cost-free return records.	ial summons and gned copy of the is Notice and
ll be served on you. The action wed, except that you will not be ob	the signed waiver, it will be filed will then proceed as if you had been seligated to answer the complaint befor notice is sent (or before 90 days United States).	erved on the date ore 60 days from
service in a manner authorized by thorized by those Rules, ask the co to pay the full costs of such serv	thin the time indicated, I will take a y the Federal Rules of Civil Procedu ourt to require you (or the party on w vice. In that connection, please rea e of the summons, which is set forth	re and will then, whose behalf you ad the statement
-	you on behalf of the plaintiff, this	24th day of
to pay the full costs of such service duty of parties to waive the service	vice. In that connection, please reale of the summons, which is set forth	ad the stat at the foot

Signature of Plaintiff's Attorney or Unrepresented Plaintiff

A-Name of individual defendant (or name of officer or agent of corporate defendant)

B—Title, or other relationship of individual to corporate defendant

C-Name of corporate defendant, if any

D-District

E—Docket number of action

F-Addressee must be given at least 30 days (60 days if located in foreign country) in which to return waiver

AO 399 (Delaware Rev. 7/00)

Michael L. Sensor, Esquire

TO:

## WAIVER OF SERVICE OF SUMMONS

(NA	ME OF PLAINTIFF'S ATT	ORNEY OR UNREPRESENTED PLAINTIFF)
I,Muhammad Arif Niaz, M		, acknowledge receipt of your request
(DEF	FENDANT NAME)	•
that I waive service of summons	in the action of	Carter v. Taylor, et al.
		(CAPTION OF ACTION)
which is case number07-517 U		in the United States District Court
for the District of Delware.	(DOCKET NUME	
I have also received a copy of by which I can return the signed	of the complaint in waiver to you with	the action, two copies of this instrument, and a means hout cost to me.
I agree to save the cost of services by not requiring that I (or the entermanner provided by Rule 4.	vice of a summons	s and an additional copy of the complaint in this lawsuit alf I am acting) be served with judicial process in the
I (or the entity on whose beh the jurisdiction or venue of the c service of the summons.	alf I am acting) we court except for o	ill retain all defenses or objections to the lawsuit or to bjections based on a defect in the summons or in the
I understand that a judgment an answer or motion under Rule i or within 90 days after that date i	12 is not served up	gainst me (or the party on whose behalf I am acting) if on you within 60 days after August 24, 2007 August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 2007 (DATE REQUEST WAS SENT), on you within 60 days after August 24, 200
(DATE)		(SIGNATURE)
` ,	(SIGNATURE)	
	Printed/Typed Na	me:
	As	of
		(TITLE) (CORPORATE DEFENDANT)

## **Duty to Avoid Unnecessary Costs of Service of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.